

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

CARLO CORDOVA,  
*Plaintiff,*

V.

ROY PADILLA, in his Individual Capacity, §  
 ELOY INFANTE, in his Individual Capacity §  
 ELPIDIO YANEZ, Jr., in his Individual Capacity, §  
 ALBERTO SANDOVAL, in his Individual Capacity §  
 DAVID DE LOS RIOS, in his Individual Capacity, §  
 DONNA INDEPENDENT SCHOOL DISTRICT, §  
 And all Unknown Co-Conspirators §  
*Defendants.* §

[illegible]

CASE NO: 7:17-CV-00014

**PLAINTIFF’S OPPOSED EMERGENCY MOTION FOR LEAVE TO FILE MOTION  
TO CONTINUE ISSUANCE OF ORDER ON DEFENDANTS’ MOTION FOR  
SUMMARY JUDGMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff Carlo Cordova, and files this Opposed Emergency Motion for Leave to File Motion to Continue Issuance of Order on Defendants' Motion for Summary Judgment, and would show the Court the following:

## I.

The Court heard Defendants' Motion for Summary Judgment on January 19, 2018. The Court advised the parties that a ruling on the motion would be issued February 6, 2018 and has set a hearing for that date.

Since the date of the summary judgment hearing, Plaintiff has obtained evidence that he believes is critical to the Court's decision on whether or not to grant Defendants' Motion for Summary Judgment.

As such, counsel for Plaintiff respectfully requests that the Court grant its Opposed Emergency Motion for Leave to File Motion to Continue Issuance of Order on Defendants' Motion for Summary Judgment. Plaintiff's proposed motion is attached as Exhibit A.

Respectfully submitted,

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/s/ John F. Melton

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/s/ Peter E. Ferraro

Peter E. Ferraro  
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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 1, 2018, a true and correct copy of the above and foregoing document was served *via* the Court's CM/ECF electronic service to:

***Via email: [Eddie@esparzagarza.com](mailto:Eddie@esparzagarza.com)***

***Via email: [dino@esparzagarza.com](mailto:dino@esparzagarza.com)***

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*/s/ John F. Melton*

\_\_\_\_\_  
John F. Melton

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that he has conferred with Defendants' counsel regarding this motion and that Defendants' counsel is opposed.

*/s/ John F. Melton*

\_\_\_\_\_  
John F. Melton